

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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IN RE: PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	
LITIGATION	)	MDL No. 1456
	)	Civil Action No. 01-CV-12257-PBS
	)	
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	)	Hon. Patti B. Saris
THIS DOCUMENT RELATES TO:	)	
International Union of Operating Engineers,	)	
Local No. 68 Welfare Fund v. AstraZeneca PLC	)	
et al. Civil Action No. 04-11503-PBS	)	
	)	
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**ORDER**

1. AstraZeneca's Motion to Compel the Production of Documents by Plaintiff International Union of Operating Engineers, Local No. 68 Welfare Fund ("Local No. 68") [1894] is hereby GRANTED. Plaintiff shall produce no later than February 3, 2006 all communications with Drs. Berkman, Antoun and Hopkins, or their respective counsel, regardless of whether such communications discuss, involve or relate to settlement.

2. As stated in the Court's order dated January 27, 2006, Dr. Hopkins' Amended Objections to Magistrate Judge's Ruling on Dr. Hopkins' Motion to Quash AstraZeneca's First Request for Production of Documents and Notice of Subpoena Ad Testificandum and Duces Tecum for Dr. Hopkins Counsel [2063] is DENIED. Dr. Hopkins' counsel, Mr. Fernandez, shall appear for a deposition forthwith, but no later than February 7, 2006, unless AstraZeneca agrees to accept a declaration from Mr. Fernandez in lieu of a deposition. Dr. Hopkins and his counsel shall also produce no later

than February 3, 2006 all communications with Plaintiff Local No. 68 or its counsel, regardless of whether such communications discuss, involve or relate to settlement.

3. There shall be no redactions to any documents produced pursuant to this order and no claims of privilege with respect to any documents disclosed to an opposing party. Any communication between (i) plaintiff or plaintiffs' counsel and (ii) Dr. Antoun, Dr. Hopkins, Dr. Berkman or any of their respective counsel previously produced in redacted form must be reproduced in unredacted form.

4. Plaintiff and AstraZeneca shall file final simultaneous submissions no longer than five pages in length on February 10, 2006 to complete the briefing on Plaintiff's Motion to Remand. Any attachments thereto shall be reasonable in length.

Dated: \_\_\_\_\_

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Patti B. Saris